IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Original Jurisdiction

Dated: Nainital the 27th day of October, 2006
Crl. Bail Application No. 991 of 2006

Order on the Bail Application:
CRIMINAL SIDE

Jafar S/o Liyakat
R/o Chanakpur, P.S. Bajpur,
District Udham Singh Nagar. …… Applicant

Versus

State of Uttaranchal …….Opposite Party

Arising out of Crime No. 47 of 2006
Under Sections: 302 of I.P.C.
Police Station: G.R.P. Kathgodam, Kashipur
District: Udham Singh Nagar.

Hon'ble Prafulla C. Pant, J.

Heard Mr. M.S. Pal, learned Senior Counsel for the applicant and Mr. Amit Bhatt, learned A.G.A. for the State.

Applicant Jafar, who is in jail in connection with crime No. 47 of 2006, relating to offence punishable under Section 302 of the I.P.C., P.S. G.R.P. Kathgodam, has sought his release on bail.

First Information Report of the case discloses that on Jabba and Liyakat fired shots at Prehalad Singh (deceased), who died on the firearm injuries. Applicant Jafar is son of Liyakat. Though, it is mentioned in the F.I.R. that Jabba and Liyakat were accompanied by Jafar, but in commission of murder specific role has been assigned only to Jabba and Liyakat.

Therefore, in the above circumstances, without expressing any opinion as to the final merits of the case, this Court is of the view that the applicant deserves bail.

Let the applicant Jafar be released on bail on his executing a personal bond and furnishing two sureties each in the like amount to the satisfaction of the Magistrate concerned.

Dated 27.10.2006
H.Negi

(Prafulla C. Pant, J.)